

## **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL**

**April 22, 2002**

The REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, April 22, 2001, at 7:00p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Ms. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Steve M. Vaughn, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Henry L. Richardson, Jr., Council Member District No. 8; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk to County Council. Mr. Milton Farley, Council Member District No. 1 was excused

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and copy of Agenda of this Regular Meeting of Berkeley County Council at the entrance of the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Council Members, the News media and posted electronically.

Chairman Rozier called the meeting to order. Councilmember Spooner gave the Invocation and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

### **APPROVAL OF MINUTES:**

Chairman Rozier asked the Council's approval of minutes for Public Hearings on Bills Numbered: 02-02, 02-03, 02-04 held on March 25, 2002 and Regular Council meeting held on March 25, 2002.

It was moved by Councilmember Vaughn and seconded by Councilmember Mims to approve the minutes as presented. The motion was passed by unanimous voice vote of the Council.

There was no **PUBLIC DISCUSSION**.

Chairman Rozier stated an Executive Session was needed to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

It was moved by Councilmember Spooner and seconded by Councilmember Vaughn to enter into Executive Session. The motion was passed by unanimous voice vote of the Council.

Berkeley County Council entered into Executive Session at 7:05 p.m. and returned at 7:46 p.m.

Mr. Stokes, County Attorney, stated Berkeley County Council went into Executive Session to discuss matters as stated in the motion; no formal action was taken.

### **THIRD READINGS:**

**“BILL NO. 02-05, AN ORDINANCE TO AMEND ORDINANCE NO. 01-6-19, ADOPTED JUNE 25, 2001, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS THEREOF WITHIN THE 2001-2002 BUDGET FOR BERKELEY COUNTY; AND OTHER MATTERS PERTAINING THERETO.”**

It was moved by Councilmember Vaughn and seconded by Councilmember Mims to approve **Bill No. 02-05** for Third and Final Reading. The motion was passed by a unanimous voice vote of the Council. (A copy of Ordinance No. 02-04-12 is attached to these minutes)

**“BILL NO. 02-06, AN ORDINANCE AUTHORIZING BERKELEY COUNTY, SOUTH CAROLINA TO AMEND AND CLARIFY CERTAIN SECTIONS OF THE FILOT DOCUMENTS (AS SUCH TERM IS DEFINED HEREIN) WITH CORNING INCORPORATED.”**

Bill No. 02-06 will be held until next month, May 20, 2002, Regular Council meeting.

**“BILL NO. 02-07, AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE TRANSFER OF AUTHORITY FOR CONDUCTING MUNICIPAL ELECTIONS IN THE CITY OF HANAHAN TO THE BERKELEY COUNTY VOTER REGISTRATION AND ELECTION COMMISSION; TO DEFINE THE POWERS, DUTIES AND RESPONSIBILITIES ASSUMED BY THE BERKELEY COUNTY VOTER REGISTRATION AND ELECTION COMMISSION FOR THE CONDUCT OF MUNICIPAL ELECTIONS IN THE CITY OF HANAHAN; TO PROVIDE FOR REIMBURSEMENT OF ALL COSTS AND EXPENSES INCURRED BY THE BERKELEY COUNTY VOTER REGISTRATION AND ELECTION COMMISSION IN THE CONDUCT OF SUCH MUNICIPAL ELECTIONS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.”**

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 02-07** for Third and Final Reading. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 02-04-13 is attached to these minutes)

**“BILL NO. 02-08, AN ORDINANCE AMENDING BERKELEY COUNTY PROCUREMENT ORDINANCE NUMBER 97-4-18, ADOPTED APRIL 29, 1997, IN**

REGARD TO NONEXPENDABLE SUPPLIES AND OTHER MATTERS RELATING THERETO.”

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve **Bill No. 02-08** for Third and Final Reading. The motion was passed by unanimous voice vote of the Council. (a copy of Ordinance No. 02-04-14 is attached to these minutes)

**SECOND READINGS:**

“**BILL NO. 02-10**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO APPROVED USES OF TMS #197-00-02-029.”

“**BILL NO. 02-11**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO APPROVED USES OF TMS #087-00-05-075.”

“**BILL NO. 02-12**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO APPROVED USES OF TMS #248-00-01-076.”

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve **Bills Numbered: 02-10, 02-11, 02-12** for Second Reading. The motion was passed by unanimous voice vote of the Council.

**FIRST READINGS:**

“**BILL NO. 02-13**, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A NOT EXCEEDING \$3,051,000 WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE (MACEDONIA WATER PROJECT), 2002, OF BERKELEY COUNTY, SOUTH CAROLINA, ISSUED IN ANTICIPATION OF THE ISSUANCE OF A WATER AND SEWER SYSTEM REVENUE BOND; PROVIDING FOR THE FORM AND DETAILS OF THE NOTE; PROVIDING FOR THE PAYMENT OF THE NOTE; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.”

“**BILL NO. 02-14**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO APPROVED USES OF TMS #210-00-00-047.”

“**BILL NO. 02-15**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO APPROVED USES OF TMS #263-00-04-006 AND 007.”

**“BILL NO. 02-16, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO APPROVED USES OF TMS #073-00-00-009.”**

**“BILL NO. 02-17, AN ORDINANCE PROVIDING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, FOR BERKELEY COUNTY; TO PROVIDE FOR LEVY OF TAXES ON ALL TAXABLE PROPERTY IN BERKELEY COUNTY FOR ALL COUNTY PURPOSES; TO PROVIDE FOR THE EXPENDITURES OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY FOR THE FISCAL YEAR.”**

**“BILL NO. 02-18, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, FOR THE DEVON FOREST SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE DEVON FOREST SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”**

**“BILL NO. 02-19, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, FOR THE PIMLICO SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE PIMLICO SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”**

**“BILL NO. 02-20, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, FOR THE SANGAREE SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SANGAREE SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”**

**“BILL NO. 02-21, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, FOR THE TALL PINES SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE TALL PINES SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”**

**“BILL NO. 02-22, AN ORDINANCE PROVIDING FOR THE ADOPTION OF FISCAL YEAR 2002-2003 (BEGINNING JULY 1, 2002 AND ENDING JUNE 30, 2003) BUDGETS FOR THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND; ESTABLISHING OPERATIONAL, DEBT SERVICE, AND CAPITAL IMPROVEMENT BUDGETS FOR WATER AND SEWER; AND TO PROVIDE FOR THE EXPENDITURES OF REVENUES COMING INTO THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND DURING THE FISCAL YEAR, AND TO AMEND THE CODE OF ORDINANCES, BERKELEY COUNTY, SOUTH CAROLINA,**

SETTING RATES, CHARGES AND PENALTIES FOR WATER AND SEWER AND SOLID WASTE SERVICE BY THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY.”

“**BILL NO. 02-23**, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, AND ENDING JUNE 30, 2003, FOR THE OPERATIONAL BUDGET OF THE BERKELEY COUNTY SPECIAL FIRE TAX DISTRICT WITHIN THE UNINCORPORATED PORTIONS OF BERKELEY COUNTY; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR.”

**RESOLUTIONS:**

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2001-2002 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-15 is attached to these minutes)

“RESOLUTION DECLARING MAY 2002, AS MENTAL HEALTH AWARENESS MONTH.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-16 is attached to these minutes)

Mr. Frank Strange, representing Berkeley Community Mental Health Services, thanked Council for their support of the organization.

“RESOLUTION CONCERNING OFFER OF EASEMENT AND JUST COMPENSATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-17 is attached to these minutes)

“RESOLUTION TO MODIFY THE BERKELEY COUNTY GOVERNMENT PERSONNEL MANUAL, RESOLUTION NO. R 00-29 ADOPTED AUGUST 28, 2000, TO DELETE SECTION 4.18(A)(4) IN ITS ENTIRETY, TO MODIFY SECTION 4.19(E) AND TO DELETE SECTION 4.20 IN ITS ENTIRETY.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-18 is attached to these minutes)

“RESOLUTION TO CONSENT TO THE TRANSFER OF CONTROL AND INTERNAL REORGANIZATION OF COMCAST CORPORATION TO AT&T COMCAST CORPORATION AS FRANCHISEE FOR CABLE TELEVISION SERVICE WITHIN BERKELEY COUNTY.”

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-19 is attached to these minutes)

“RESOLUTION AUTHORIZING THE BERKELEY COUNTY SUPERVISOR TO EXECUTE AN AGREEMENT WITH CCED (COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT).”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-20 is attached to these minutes)

#### **REPORTS FROM STANDING COMMITTEES:**

**COMMITTEE ON FINANCE**, Councilmember Steve M. Vaughn, Chairman.

Councilmember Vaughn reported that the Committee on Finance met on April 15 and earlier tonight. Many of the matters before it have been taken care of on tonight.

Mr. Vaughn moved to accept the Committee’s recommendation to upgrade three positions in the MIS Department and to use remaining funds in the lease purchase agreement to buy new computer equipment for the MIS Department and 10 other County Departments. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

**COMMITTEE ON LAND USE**, Councilmember Charles E. Davis, Chairman.

Councilmember Davis reported Committee met on April 15. Many of the matters before it have been taken care of on tonight’s agenda.

One matter involved a rezoning request by Dean Hensley and that request has been withdrawn.

**COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Councilmember William E. Crosby, Chairman.

Councilmember Crosby reported the Committee met on April 15. Some of the matters before it have been taken care of on tonight's agenda.

Mr. Crosby moved to accept the Committee's recommendation to approve a variance for road paving, requested by Santee Cooper, for the Cross Subdivision and the Diversion Canal Subdivision. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the Odor Control and Corrosion Project be awarded to Betz Dearborn in the amount of \$170,00.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the Large Excavator be awarded to Blanchard in the amount of \$128,715.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the Highway 78 Sewer Project be awarded to Seaside Utilities, Inc. in the amount of \$292,781.50. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the SCADA System be awarded to Robert L. Carlson, Inc. in the amount of \$35,796.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the Bonneau Vault Valve be awarded to Anson Construction in the amount of \$110,820.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the Landfill Gas Vents be awarded to Recovery Drilling Services in the amount of \$43,500.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the Mt. Holly Commerce Park, Phase II be awarded to Eadies Construction Company, Inc., in the amount of \$749,989.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

Mr. Crosby moved that the contract for the Standby Electrical Generator be awarded to Cummins Atlantic, Inc., in the amount of \$28,090.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of the Council.

**COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Councilmember Milton Farley, Chairman.

No Report

**COMMITTEE ON WATER AND SANITATION**, Councilmember Henry L. Richardson, Chairman.

Councilmember Richardson reported that the Committee met on April 8. All matters before it have been taken care of on tonight's agenda.

**COMMITTEE ON PLANNING AND DEVELOPMENT**, Councilmember Judith K. Spooner, Chairman.

Councilmember Spooner reported the Committee met on April 15.

One matter before it was Bill No. 02-09, An Ordinance to amend the County's zoning Ordinance. The matter was held in Committee in order to gather additional information.

A request from a citizen in regards to keeping a pig (450lbs) in a residential subdivision was discussed. Council made no motion; no further action will be taken.

**COMMITTEE ON COMMUNITY SERVICES**, Councilmember Judy C. Mims, Chairman.

Councilmember Mims reported the Committee met on April 8. All matters before it have been taken care of on tonight's agenda.

**COMMITTEE ON HUMAN SERVICES**, Councilmember Caldwell Pinckney, Jr., Chairman.

Councilmember Pinckney reported the Committee met on April 8. All matters before it have been taken care of on tonight's agenda.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

Councilmember Crosby nominated Fredrick Boltz and Ken Dorman to the Special Fire Tax District Board. George Sweatman and Walter Hilton as Ex-Officio for the Board. (Ex-Officio's serve only to provide advice but do not vote.)

Chairman Rozier nominated Mary Thorney, President of Trident Technical College; Lou DuBon, Senior Manager of Human Resources, AGFA.; Jean McCrary, Executive Director, Adult Community Education; and David Floyd, Job Corps Transition Services to the Workforce Investment Board. Individuals who serve on this board have to come from specific work backgrounds.

The nominations passed by unanimous voice vote of the Council.

There was no **CORRESPONDENCE**.



## **UNFINISHED BUSINESS:**

Lease of Wando Health Clinic, no one addressed this subject.

Department work schedules for corrections in Public Buildings, Engineering, Garage and Roads and Bridges. Mr. Rozier presented the following transfers: from Department 43103 or Department 43104: Line item 5101, 443.62; Line item 5109, 9.01; Line item 5110, 30.39; Line item 5112, 33.93. And transfer from Department 43103 to Department 43101: Line item 5101, 400.00; Line item 5109, 8.13; Line item 5110, 27.40; Line item 5112, 30.60.

These adjustments together with the three (3) positions that will be eliminated to solve the problem will equal to be a savings of \$15,604.46. It also takes care of the upgrades and changes in the departments' hours.

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve the Department work schedules as presented. The motion was passed by unanimous voice vote of the Council.

## **NEW BUSINESS:**

Councilmember Spooner asked for a show of hands as to who would be attending the Berkeley County Water and Sanitation Authority Budget Conference at Wampee on May 7, 2002 at 6:00p.m. to enable Ms. Austin, Clerk to Council, to R.S.V.P for the Council. All in attendance indicated they would attend, with the exception of Councilmember Richardson, who indicated he would let the Clerk know at a later date.

## **ANNOUNCEMENTS:**

The MAY 2002, Regular Meeting of Berkeley County Council will be held on MONDAY MAY 20, 2002, in COUNCIL CHAMBERS, GOOSE CREEK CITY HALL, 519 NORTH GOOSE CREEK BOULEVARD, GOOSE CREEK, S. C., at 7:00 P.M.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adjourn the Regular meeting of Council. The motion was passed by unanimous voice vote of the Council.

The meeting was adjourned at 8:13 p.m.

## **PUBLIC DISCUSSION:**

Ms. Lillie Major Saint-Fort, 7881 E. Champion Way, N. Charleston, representing TROF's Community Development Center, Inc. (located in Berkeley County). Ms. Saint-Fort addressed Council and indicated, "We are currently housed in the Berkeley County Executive Building, Clemson Extension Room. The Center is recognized as a Charitable Organization in the State of South Carolina. The Center services the Moncks Corner area. The Center works

with at-risk youth, teaching them life skills and how to communicate with all members of the Community. We met on Thursday night each week and had fifty-seven (57) children in attendance. The children have showed marked changes in behavior since attending the program. These results were gathered from a Statistical Data Analysis of the children. We have currently had to suspend the program, due to transportation problems.”

Ms. Saint-Fort came to Council to request space and transportation for the Center.

Chairman Rozier indicated that Berkeley County does not currently have any space available. He suggested checking with the Adult Education Center on Main Street and the National Guard Armory. Mr. Rozier also suggested that she might check with the Town of Moncks Corner and schools in the area, since the Center is a service to Moncks Corner youth. Whereas; Berkeley County Government spans well beyond the Moncks Corner Community.

S/Barbara B. Austin  
Clerk of County Council

Date Approved: May 20, 2002

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on Monday April 22, 2002, is scheduled to begin at 7:00 P.M., in the ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C., at 7:00 P.M.

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

**APPROVAL OF MINUTES:**

Public Hearings Bills Numbered: 02-02, 02-03, 02-04  
Regular Council Meeting

March 25, 2002  
March 25, 2002

**PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**THIRD READING:**

1. **Bill No. 02-05**, an Ordinance to amend Ordinance No. 01-6-19, adopted June 25, 2001, to provide for supplemental appropriations and allocations thereof within the 2001-2002 budget for Berkeley County; and other matters pertaining thereto.

[Recommended by Committee on Finance]

2. **Bill No. 02-06**, an Ordinance authorizing Berkeley County, South Carolina to amend and clarify certain sections of the FILOT documents (as such term is defined herein) with Corning Incorporated

[Recommended by Committee on Finance]

3. **Bill No. 02-07**, an Ordinance authorizing the acceptance of the transfer of authority for conducting municipal elections in the City of Hanahan to the Berkeley County voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Berkeley County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Hanahan; to provide for reimbursement of all costs and expenses

incurred by the Berkeley County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto.  
[Recommended by Committee on Community Services]

4. **Bill No. 02-08**, an Ordinance amending Berkeley County Procurement Ordinance Number 97-4-18, adopted April 29, 1997, in regard to nonexpendable supplies and other matters relating thereto.  
[Recommended by Committee on Public Works and Purchasing]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

### **SECOND READING:**

1. **Bill No. 02-10**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Jeffrey and Victoria Hall, 323 Garber Lane, Moncks Corner, TMS #197-00-02-029 (6.11 acres), from R-2, Manufactured Residential District, to R-2R(f), Mobile Home Farm Residential District. Council District No. 4.  
[Recommended by Committee on Land Use]

2. **Bill No. 02-11**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: David Alexander Gibbs, 17-A North, Bonneau, TMS #087-00-05-075, (1 acre) from GC, General Commercial District, to F-1 Flexible District. Council District No. 8.  
[Recommended by Committee on Land Use]

3. **Bill No. 02-12**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Rodney Lockwood, 109 Zulu Drive, Huger, TMS #248-00-01-076 (1 lot), from R-2, Manufactured Residential District, to R-4, Multifamily District Small-Scale. Council District No.8.  
[Recommended by Committee on Land Use]

### **FIRST READING:**

1. **Bill No. 02-13**, an Ordinance authorizing the issuance and sale of a not exceeding \$3,051,000 Water and Sewer System Revenue Bond Anticipation Note (Macedonia Water Project), 2002, of Berkeley County, South Carolina, issued in anticipation of the issuance of a water and sewer system revenue bond; providing for the form and details of the note; providing for the payment of the note; providing for the disposition of the proceeds thereof; and other matters relating thereto.  
[Recommended by Committee on Water and Sanitation]

2. **Bill No. 02-14**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Robert A. Hammond, off Lazy Hill Road, Moncks Corner, TMS #210-00-00-047 (25.013 acres), from R-2, Manufactured Residential District, to R-2R(f), Mobile Home Farm Residential District. Council District No. 4.

[Recommended by Committee on Land Use]

3. **Bill No. 02-15**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Wilson P. Rumph, Jr. for Rumphs Auto Services, A/P 2682 Highway 41 and 715 Yaupon Drive, Wando, TMS #263-00-04-006 and 007 (5.71 acres total), from R-2, Manufactured Residential District, and R-1R, Rural Single-Family District, to GC, General Commercial District. Council District No. 8.

[Recommended by Committee on Land Use]

4. **Bill No. 02-16**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Denise Phillips for William H. Johnson, 3140 Highway 17-A, Bonneau, TMS #073-00-00-009 (a 2 acre portion, 164.69 total), from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District. Council District No. 8.

[Recommended by Committee on Land Use]

5. **Bill No. 02-17**, an Ordinance providing appropriations for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for Berkeley County; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county for the fiscal year.

[Recommended by Committee on Finance]

6. **Bill No. 02-18**, an Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Devon Forest Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

7. **Bill No. 02-19**, an Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Pimlico Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

8. **Bill No. 02-20**, an Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Sangaree Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

9. **Bill No. 02-21**, an Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Tall Pines Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

10. **Bill No. 02-22**, an Ordinance providing for the adoption of fiscal year 2002-2003 (beginning July 1, 2002 and ending June 30, 2003) budgets for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for water and sewer and solid waste service by the Berkeley County Water and Sanitation Authority.

[Recommended by Committee on Finance]

11. **Bill No. 02-23**, an Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the operational budget of the Berkeley County Special Fire Tax District within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year

## **RESOLUTIONS:**

1. **RESOLUTION** providing for the Transfer of Funds in the 2001-2002 Berkeley County Budget for County Purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** declaring May 2002, as Mental Health Awareness Month.

[Recommended by Committee on Human Services]

3. **RESOLUTION** concerning offer of Easement and Just Compensation for Community Development Block Grant Projects.

[Recommended by Committee on Water and Sanitation]

4. **RESOLUTION** to modify the Berkeley County Government Personnel Manual, Resolution No. R 00-29 adopted August 28, 2000, to delete Section 4.18(A)(4) in its entirety, to modify Section 4.19(E) and to delete Section 4.20 in its entirety.

[Recommended by Committee on Finance]

5. **RESOLUTION** to Consent to the Transfer of Control and Internal Reorganization of Comcast Corporation to AT&T ComCast Corporation as Franchisee for cable television service within Berkeley County.

[Recommended by Committee on Finance]

6. **RESOLUTION** authorizing the Berkeley County Supervisor to execute an agreement with CCED (Coordinating Council for Economic Development).  
[Recommended by Committee on Finance]

**REPORTS FROM STANDING COMMITTEES:**

1. Committee on Finance.  
Councilmember Steve M. Vaughn, Chairman.
  - a. Recommendations:
    - i. MIS staff upgrades.
    - ii. Purchase approval of computer equipment.
2. Committee on Land Use.  
Councilmember Charles E. Davis, Chairman.
  - a. Recommendation to Deny:
    - i. Request by Dean Hensley and Raymond Lodge, 983 Royle Road, Ladson, TMS #233-06-00-015 and 016 (3.2 acres total), from R-2, Manufactured Residential District, to R-3, Mobile Home Park District. Council District No. 4.
3. Committee on Public Works and Purchasing.  
Councilmember William E. Crosby, Chairman.
  - a. Recommendations:
    - i. Variances – Cross Subdivision & Diversion Canal Subdivision
    - ii. Odor Control and Corrosion Project.
    - iii. Large Excavator
    - iv. Highway 78 Sewer Project
    - v. SCADA System
    - vi. Bonneau Vault Valve
    - vii. Landfill Gas Vents
    - viii. Mt. Holly Commerce Park, Phase II
    - ix. Standby Electrical Generator
4. Committee on Justice and Public Safety.  
Councilmember Milton Farley, Chairman.
5. Committee on Water and Sanitation.  
Councilmember Henry L. Richardson, Jr., Chairman.
6. Committee on Planning and Development.  
Councilmember Judith K. Spooner, Chairman.
  - a. Bill No. 02-09 – Held in committee for further review.

7. Committee on Community Services.  
Councilmember Judy C. Mims, Chairman.
8. Committee on Human Services.  
Councilmember Caldwell Pinckney, Jr., Chairman.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

1. BERKELEY COUNTY LIBRARY BOARD
2. CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
3. HOUSING BOARD OF ADJUSTMENTS AND APPEALS
4. SANGAREE SPECIAL TAX ADVISORY COMMISSION
5. SPECIAL FIRE TAX DISTRICT ADVISORY BORAD
6. SPIERS LANDING COMMISSION
7. WATER AND SANITATION APPEALS BOARD

#### **CORRESPONDENCE**

#### **UNFINISHED BUSINESS**

1. Lease of Wando Health Clinic.
2. Departmental work schedules.

#### **NEW BUSINESS**

#### **ANNOUNCEMENTS**

The MAY 2002, Regular Meeting of Berkeley County Council will be held on MONDAY MAY 20, 2002, in COUNCIL CHAMBERS, GOOSE CREEK CITY HALL, 519 NORTH GOOSE CREEK BOULEVARD, GOOSE CREEK, S. C., at 7:00 P.M.

#### **ADJOURNMENT**

#### **EXECUTION OF DOCUMENTS BY COUNCIL**

#### **PUBLIC DISCUSSION**

April 17, 2002  
S/Barbara B. Austin  
Clerk to County Council